

H. RICHARD AUSTIN,)
)
Plaintiff,)
)
v.) No. 4:16CV01491 JAR
)
HANOVER INSURANCE COMPANY *a/k/a*)
MASSACHUSETTS BAY INSURANCE)
COMPANY,)
)
Defendant.)

This matter is before the Court on the motion (Doc. No. 14) of Defendant Hanover Insurance Company for an award of sanctions. Pro se Plaintiff H. Richard Austin has filed a brief in opposition. For the reasons set forth below, the Court will direct Defendant to supplement the record to demonstrate the motion's compliance with Rule 11 of the Federal Rules.

Here, on review of the motion for sanctions, it is not apparent to the Court that Defendant has complied with the safe harbor provision of Rule 11. Defendant's motion was filed on December 7, 2016, and the certificate of service therein indicates the motion was served on Plaintiff the same day. The motion does not otherwise represent it was served on Plaintiff prior to that date.

Accordingly,

IT IS HEREBY ORDERED that, **no later than February 13, 2017**, Defendant is directed to supplement the record with documentation of the motion's compliance with Rule 11, Fed. R. Civ. P., or otherwise demonstrate its compliance with Rule 11 in filing the instant motion [14] for sanctions.

IT IS FURTHER ORDERED that, **no later than February 13, 2017**, Defendant shall file a verified statement of the attorney's fees and costs it has incurred in responding to this action.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

Dated this 30th day of January, 2017.